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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,572	04/09/2004	Semion Stolyar	WOG 1703.0042	1903
152	7590	11/21/2005	EXAMINER	
CHERNOFF, VILHAUER, MCCLUNG & STENZEL 1600 ODS TOWER 601 SW SECOND AVENUE PORTLAND, OR 97204-3157			DONDERO, WILLIAM E	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,572

Applicant(s)

STOLYAR ET AL.

Examiner

William E. Dondero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/02/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the inner radius of curvature which has a center displaced from the central axis of rotation (Claim 2), and the radius of curvature of each inner surface is smaller than a radius of the chuck at the outer surfaces of the lug members (Claim 10) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to because reference character 17 should be 14 in Figure 4.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the hollow core" in lines 1 and 9-10 and "the inner arcuate surface" in lines 17-18. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "each inner arcuate surface" in line 20. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the hollow core" in lines 26 and 32. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4-5 and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Thievensen et al. Regarding Claim 4, Thievensen et al. disclose a self locking chuck for

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engaging a hollow core of a tubular roll of material comprising a center trunnion 1 having a central axis of rotation (shown but not numbered) and a plurality of flat peripheral surfaces (shown but not numbered), a cage 7 surrounding the trunnion and rotatable with respect thereto, a plurality of lugs enclosed in the cage and radially movable therein, each lug 4 having an outer surface (shown but not numbered) for engaging the hollow core and an inner surface (shown but not numbered), with a center offset from said central axis of rotation of the trunnion, and a plurality of roller bearing elements 5 interacting between the inner surface of each lug 4 and a respective flat peripheral surface to expand the lugs 4 in response to torque in either direction (Figures 1-4; Column 3, Lines 16-22). Regarding Claim 5, Thievensen further discloses the roller bearing elements 5 are roller bars extending axially with respect to said trunnion (Column 3, Lines 16-22). Regarding Claim 7, the lug members 4 of Thievensen et al. are held loosely in the cage retained by flange elements 3 at the corners of the lug members (Figures 1 and 3). Regarding Claim 8, there are three roller bearing elements in the chuck of Thievensen et al (Figures 1 and 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thievensen et al. in view of Potter. Regarding Claim 1, Thievensen et al. disclose

a self locking chuck for engaging a hollow core of a tubular roll of material comprising a center trunnion 1 having a central axis of rotation (shown but not numbered) and a plurality of flat peripheral surfaces (shown but not numbered), a rotatable cage 7 surrounding the trunnion and having a plurality of apertures (shown but not numbered) for receiving movable lug members 4, the movable lug members 4 having each an outer surface (shown but not numbered) for engaging the hollow core and an inner surface (shown but not numbered) defining a radial space with respect to each flat peripheral surface of the trunnion, and a roller assembly for forcing the lug members in a radially outward direction in response to a torque in either direction comprising a plurality of rotatable cylindrical roller bars 5 being disposed each respectively in the radial space between each flat peripheral surface and an inner arcuate surface of each of said lug members 4 (Figures 1-4; Column 3, Lines 16-22). Thievessen et al. are silent about the roller assembly comprising first and second synchronizing rings positioned at each end of the cage having first and second sets of recesses for holding a plurality of rotatable cylindrical roller bars. However, Potter discloses first and second synchronizing rings 22 positioned at each end of a cage having first and second sets of recesses 20 for holding a plurality of rotatable cylindrical roller bars 18 (Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the synchronizing rings to the chuck of Thievessen et al. to maintain the 60° spacing between each roller as taught by Potter (Column 4, Lines 26-31). Regarding Claim 2, Thievessen et al. disclose each inner surface has a radius of curvature which has a center displaced from said central axis of rotation (Figures 1 and 3). Regarding Claim

3, Thievessen et al. further disclose the lug members 4 are held loosely in the cage 7 retained by flange elements 3 at the corners of the lug members (Figures 1 and 3).

Regarding Claim 9, there are three cylindrical roller bars in the chuck of Thievessen et al (Figures 1 and 3). Regarding Claim 10, further in the chuck of Thievessen et al. the radius of curvature of each inner surface is smaller than a radius of the chuck at the outer surfaces of the lug members (Figures 1 and 3).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thievessen et al in view of Potter. Thievessen et al. disclose the self locking chuck as discussed above in regards to Claims 4 and 5. Thievessen et al. are silent about the chuck including a pair of synchronizing rings having apertures for receiving opposite ends of the roller bars. However, Potter discloses a pair of synchronizing rings 22 having apertures 20 for receiving opposite ends of roller bars 18 (Figure 1).). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the synchronizing rings to the chuck of Thievessen et al. to maintain the 60° spacing between each roller as taught by Potter (Column 4, Lines 26-31).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Miller et al. is cited for disclosing an expandable self locking chuck for engaging a hollow core of a tubular roll of material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Dondero whose telephone number is 571-

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272-5590. The examiner can normally be reached on Monday through Friday 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wed



KATHY MATECKI
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